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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,144	11/18/2003	Theodore F. Emerson	200303930-4	5291

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EXAMINER

SHIN, CHRISTOPHER B

ART UNIT	PAPER NUMBER
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2181

DATE MAILED: 12/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/716,144

**Applicant(s)**

EMERSON ET AL.

**Examiner**

Christopher B. Shin

**Art Unit**

2182

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) See Continuation Sheet is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,5,7,9,14,16,21,23,25,30,33,38,40,45,47 & 49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

Continuation of Disposition of Claims: Claims withdrawn from consideration are 2,4,6,8,10-13,15,17-20,22,24,26-29,31,32,34-37,41-44,46,48 & 50.

### **DETAILED ACTION**

1. The Amendment received March 9, 2006 has been entered and carefully considered. Claims 1-50 are pending in the application. Claims 2, 4, 6, 8, 10-13, 15, 17-20, 22, 24, 26-29, 31-32, 34-37, 39, 41-44, 46, 48 & 50 are withdrawn from further consideration.

### ***Interview Summary***

2. Applicant's request via telephone interview on November 17, 2006 for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3, 5, 7, 9, 14, 16, 21, 23, 25, 30, 33, 38, 40, 45, 47 & 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Youngblood et al. (5,062,059).

a. In figure 1 and the respective descriptive sections disclose the teachings of the claimed limitations as follows:

Claims 1, 3                      Youngblood (figure 1)

- A computer system, comprising
  - System of figure 1

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- A bus for interconnecting managed computer system with an expansion slot
  - (26) for interconnecting (HOST) with a connection with (1)
- An expansion board comprising a processor the board disposed in the expansion slot; and
  - (1) comprising (8) connected to (26)
- a remote console functionality assist logic structure controlled by the processor to provide video signal generated by the managed computer system to a remote computer system
  - (1, 14) controlled by (8) to provide video signal generated by the (26) to (14, 23)
- wherein the remote console functionality assist logic structure comprises a video encoder for encoding video signals transmitted between a video controlled and a system processor associated with he managed computer system
  - (1, 14) comprises (22) graphic controller – well known to have video encoder/decoder

Claims 5, 7                      Youngblood (figure 1)

- A computer system, comprising
  - System of figure 1
- An input/output (I/O) processor disposed on a bus
  - (1, 14)
- A video controller disposed on the bus
  - Obvious feature of HOST, since the HOST provides video to (22 & 23)
- a remote console functionality assist logic structure disposed on the bus,
  - (1, 14)
- the structure controlled by the processor to provide video signals of the video controller to a remote computer system
  - (1, 14) controlled by (8) to provide video signal generated by the (26) to (14, 23)
- wherein the remote console functionality assist logic structure comprises a video encoder for encoding video signals of the video controlled
  - (1, 14) comprises (22) graphic controller – well known to have video encoder/decoder

Claims 9, 14                      Youngblood (figure 1)

- A computer system, comprising
  - System of figure 1
- A bus adapted to connect a plurality of devices and an expansion slot
  - (26) adapted to connect devices and (1)

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- An add-in board disposed in the expansion slot, the add-in board comprising a processor
  - (1) comprising (8) connected to (26)
- a remote server console device adapted to communicate on the bus, the device having a remote console functionally assist logic structure controlled by the processor
  - (1, 14) controlled by (8)
- wherein the remote console functionality assist logic structure comprises a video encoder for encoding video signals of a video controller associated with the computer system.
  - (1, 14) comprises (22) graphic controller – well known to have video encoder/decoder

Claims 16, 21

Youngblood (figure 1)

- A remote server management control system for a computer system
  - System of figure 1
- The computer system comprising a bus adapted to connect a plurality of devices and an expansion slot
- A bus adapted to connect a plurality of devices and an expansion slot
  - (26) adapted to connect devices and (1)
- An add-in board disposed in the expansion slot, the add-in board comprising a processor
  - (1) comprising (8) connected to (26)
- a remote server console device adapted to communicate on the bus, the device having a remote console functionally assist logic structure controlled by the processor
  - (1, 14) controlled by (8)
- wherein the remote console functionality assist logic structure comprises a video encoder for encoding video signals of a video controller associated with the computer system.
  - (1, 14) comprises (22) graphic controller – well known to have video encoder/decoder

Claims 23, 25

Youngblood (figure 1)

- A remotely managed computer system, comprising
  - System of figure 1
- A system processor operably coupled to an (I/O) bus
  - (8, 12) operably coupled to (26, 27)
- A video controller disposed on the bus to provide video signals to the remotely managed computer system

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- Obvious feature of HOST, since the HOST provides video to (22 & 23)
- a remote console functionality assist logic structure disposed on the bus,
  - (1, 14)
- the logic structure adapted to capture the video signals of the video controller and direct video information to a remote computer system
  - (1, 14) controlled by (812) to provide video signal generated by the (26) to (14, 23)
- wherein the remote console functionality assist logic structure comprises a video encoder for encoding video signals of the video controller
  - (1, 14) comprises (22) graphic controller – well known to have video encoder/decoder

b. The difference between the claimed invention and the Youngblood's is that the Youngblood reference does not expressly disclose the claimed limitation regarding add-in board-expansion slot; however, such difference in limitation is commonly practiced or even an standard practice in the art of bus addition/expansion technique/system, such as the Youngblood system and the claimed system. The motivation for such practice is to have modular design for easy upgrade, add or expand system. One skill in the art should know the benefit of the modular designed system. The examiner takes official notice on such well known technique and/or common practice. Therefore, it would have been obvious at the time the invention was made to one having ordinary skill in the art to be easily motivated to have or add the add-in board (1, 14) to the Youngblood's system for the well known motivation of easy/modular addition/expansion, for the reason stated above.

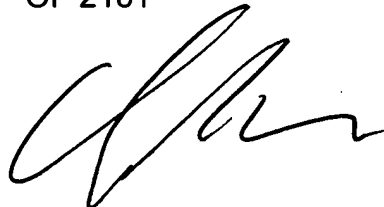
c. As for method claims 30, 33, 38, 40, 45, 47 & 49, the teachings of the apparatus claims 1, 3, 5, 7, 9, 14, 16, 21, 23 & 25 are similarly applied.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher B. Shin whose telephone number is 571-272-4159. The examiner can normally be reached on 6:30-5:00 M,Tu,Th,F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fritz Fleming can be reached on 571-272-4145. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CHRISTOPHER SHIN  
PRIMARY EXAMINER  
OF 2181

A handwritten signature in black ink, appearing to be 'C. Shin', written in a cursive style.

September 3, 2006  
cbs